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MONTANA LEGISLATIVE HISTORY

Chapter 581 19 93

Bill H 689 S _____ Original bill & history ____C

H. Committee on Appropriations			S. Committee on Finance and Claims		
Hearing Date(s)	Mar 29	✓ C	Hearing Date(s)	Apr 13	✓ C
	Mar 30	✓ C		_____	____C
	_____	____C		_____	____C
	_____	____C		_____	____C
Date Out	Mar 30	✓ C		Apr 14	✓ C

Did this bill originate in an interim committee? ____Yes ____No

Committee _____ Report _____

3/24	HEARING		
3/24	FISCAL NOTE PRINTED		
3/26	COMMITTEE REPORT--BILL PASSED		
3/29	2ND READING PASSED	69	31
3/30	3RD READING PASSED	65	33
	TRANSMITTED TO SENATE		
4/01	FIRST READING		
4/01	REFERRED TO TAXATION		
4/06	HEARING		
4/13	COMMITTEE REPORT--BILL CONCURRED AS AMENDED		
4/14	2ND READING CONCURRED	47	1
4/15	3RD READING CONCURRED	45	3
	RETURNED TO HOUSE WITH AMENDMENTS		
4/17	2ND READING AMENDMENTS CONCURRED	76	19
4/20	3RD READING AMENDMENTS CONCURRED	70	28
4/23	SIGNED BY SPEAKER		
4/23	SIGNED BY PRESIDENT		
4/24	TRANSMITTED TO GOVERNOR		
4/28	SIGNED BY GOVERNOR		
	CHAPTER NUMBER 580		
	EFFECTIVE DATE: 07/01/93		

HB 689 INTRODUCED BY FISHER, ET AL.

CREATE SPECIAL REVENUE ACCOUNTS FOR ADMINISTRATION OF INCOME TAX CHECKOFF PROGRAMS

BY REQUEST OF JOINT SUBCOMMITTEE ON GENERAL GOVERNMENT AND TRANSPORTATION

3/19	INTRODUCED		
3/19	REFERRED TO APPROPRIATIONS		
3/19	FIRST READING		
3/19	FISCAL NOTE REQUESTED		
3/24	FISCAL NOTE RECEIVED		
3/24	FISCAL NOTE PRINTED		
3/29	HEARING		
3/30	COMMITTEE REPORT--BILL PASSED AS AMENDED		
3/31	2ND READING PASSED	86	12
4/01	3RD READING PASSED	89	0
	TRANSMITTED TO SENATE		
4/02	FIRST READING		
4/02	REFERRED TO FINANCE & CLAIMS		
4/13	HEARING		
4/14	COMMITTEE REPORT--BILL CONCURRED AS AMENDED		
4/15	2ND READING CONCURRED	34	13
4/15	3RD READING CONCURRED	35	14
	RETURNED TO HOUSE WITH AMENDMENTS		
4/16	2ND READING AMENDMENTS CONCURRED	76	22
4/19	3RD READING AMENDMENTS CONCURRED	78	22
4/22	SIGNED BY SPEAKER		
4/23	SIGNED BY PRESIDENT		
4/23	TRANSMITTED TO GOVERNOR		
4/28	SIGNED BY GOVERNOR		
	CHAPTER NUMBER 581		
	EFFECTIVE DATE: 04/28/93		

Opening Statement by Sponsor: SEN. TOM KEATING, Senate District 44, Billings, stated that SB 94 addressed the ability of non-assumed counties to establish medical programs for the indigent. He reported that in the special session last July, the language which enabled non-assumed counties to develop and implement indigent assistance medical programs using county funds was inadvertently repealed from statute; SB 94 reinstates the enabling language. He noted, however, that provisions of HB 427, which eliminates the state assumption of county welfare assistance, would apply to all counties. If HB 427 passes, coordinating language between SB 94 and HB 427 would be necessary. He reported that non-assumed counties had requested the legislation and asked the committee to concur.

Proponents' Testimony: Gordon Morris, Director, Montana Association of Counties, provided written testimony in which he noted that since SB 94 was introduced, several events had occurred which would impact the bill, specifically the "compromise" effected on state-assumed welfare under HB 427. He recommended Sections 2, 3, and 4 of SB 94 be repealed and Section 1 be amended to reflect the permissive nature of indigent assistance language in Section 24(1) of HB 427. **EXHIBIT 1**

Opponents' Testimony: None

Informational Testimony: None

Questions From Committee Members and Responses: **REP. FISHER** referred to the bill title "amending the law related to emergency grants from state funds to counties" and asked **SEN. KEATING** whether SB 94 allowed counties to request money from state funds. **SEN. KEATING** explained that an emergency aid-and-relief clause under the old statute allowed any county whose poor fund exceeded 13.5 mills to receive general fund support for its general assistance and medical program. He said when state-assumed counties were established, the 13.5 mills became inactive; however, the 13.5 mills grant-in-aid language was still in statute. In order to protect against the non-assumed counties requesting a grant-in-aid above 12 mills, the language was coordinated with the 13.5 mills grant-in-aid emergency relief threshold. He reported HB 427 repeals the grant-in-aid provision.

Closing by Sponsor: **SEN. KEATING** stated the non-assumed counties would appreciate the committee's support.

HEARING ON HB 689

An act generally revising statutory appropriations to the department of revenue; creating special revenue accounts for the administration of income tax checkoff programs; and eliminating the dangerous drug tax.

Opening Statement by Sponsor: **REP. MARJ FISHER, House District 3, Whitefish** introduced HB 689 by request of the subcommittee on general government and highways. She explained that taxpayers can use checkoffs on their income tax forms to donate money to certain special programs; the donated money is put into special revenue accounts. She said the cost of administering the tax on dangerous drugs was greater than the revenue; therefore, the bill eliminated the dangerous drug tax.

Proponents' Testimony: None

Opponents' Testimony: None

Informational Testimony: None

Questions From Committee Members and Responses: **REP. BARDANOUVE** asked **REP. FISHER** how much revenue was received from the tax checkoff programs. **REP. FISHER** said she did not know. **CHAIRMAN ZOOK** asked whether anyone from the Department of Revenue could answer the question. **Jeff Miller, Department of Revenue,** referred **REP. BARDANOUVE** to the fiscal note which detailed the amount received per year for the existing five checkoff programs. He reported the public campaign checkoff raises about $1,600 per year; the nongame wildlife program checkoff raises $24,000 per year; the child abuse and neglect prevention program raises $25,000 per year; agriculture in Montana schools raises $11,000 per year; and the Montana drug abuse resistance education program (DARE) raised $18,000 in its first year. He said the bill would require the programs to pay the cost of administering the funds. **REP. BARDANOUVE** suggested the department's appropriation in HB 2 should cover the costs. **Mr. Miller** responded the appropriation had been covering the costs. He reported the subcommittee had discussed transferring the costs to the programs. He said the checkoffs were costing approximately $2,800 per checkoff. **REP. BARDANOUVE** noted that the public campaign checkoff would not provide enough money to pay administration costs. **Mr. Miller** agreed that with the current level of utilization, no money would be forwarded to the public campaign program.

REP. ROYAL JOHNSON suggested the public campaign checkoff should be eliminated. **Mr. Miller** said when the DARE checkoff was proposed, one concern expressed by the department was that the checkoffs were administratively cumbersome and an inefficient way of raising money. The legislature had responded by including a sunset contingency on the DARE checkoff in the event it raised less than $20,000 in two successive years. **REP. ROYAL JOHNSON** asked whether the $2,800 administrative cost per program was per year or over the biennium. **Mr. Miller** said the cost was per program per year.

REP. KADAS asked Mr. Miller whether the special revenue accounts referred to in Section 1 were accounts which funded the [illegible] **Mr. Miller** explained that two different concepts were presented in Sections 1(1) and 1(2). He said [illegible]

referred to the cost of putting new checkoffs on the system; he reported the first year cost was in the range of $20,000. He said Section 1(2) referred to charges for administrative costs of existing checkoffs. He said all charges would be deposited in an account for which the department has spending authority. REP. KADAS asked whether the $3,000 limit applied only to new checkoffs. Mr. Miller responded that the $3,000 cap applied to existing checkoff programs.

REP. BARDANOUVE asked Mr. Miller whether money for checkoffs came from the taxpayer's return or whether the taxpayer added money to the return. Mr. Miller said the checkoff would be an addition to the tax liability of individuals who wish to use this avenue for donating funds to the programs. He said frequently the checkoff reduced an individual's refund; however, the checkoff could also require the individual to pay additional money.

REP. MENAHAN asked Mr. Miller whether the money for the checkoffs would come from taxes owed. Mr. Miller explained that if REP. MENAHAN were to receive a $100 refund and checked three special programs, then the state would refund $97.

Closing by Sponsor: REP. FISHER closed.

HEARING ON HB 690

An act clarifying the authority of the Montana School for the Deaf and Blind to provide assistance to programs for the visually impaired or hearing impaired and authorizing the school to charge a fee for the assistance.

Opening Statement by Sponsor: **REP. BILL WISEMAN, House District 33, Great Falls,** introduced HB 690, an appropriations committee bill. He reported that in considering HB 2, the committee had included a mechanism whereby the Montana School for the Deaf and Blind (MSDB) could charge for their outreach program. He explained HB 690 authorized the school to charge fees for their assistance. He reported that MSDB has four outreach employees who work with outlying school districts, agencies, and families with children who are deaf and/or blind. In return for these services, MSDB would be allowed to charge a fee. **REP. WISEMAN** recalled that HB 2 capped the revenue from these fees at $256,000 per year; any excess revenue earned by the program would go to the general fund.

Proponents' Testimony: **Wayne Buchanan, Board of Public Education,** recalled that the committee had removed almost $257,000 for each year of the biennium from MSDB's budget and asked the school to charge for its outreach services. He contended the outreach services were the most valuable services provided by MSDB. He said he agreed with **REP. PECK** who asserted the services should be funded or eliminated. **Mr. Buchanan** said, however, MSDB should have the ability to charge for the outreach

HOUSE OF REPRESENTATIVES

APPROPRIATIONS COMMITTEE

ROLL CALL DATE 3/29/02

NAME	PRESENT	ABSENT	EXCUSED
REP. ED GRADY, V. CHAIR	✓		
REP. FRANCIS BARDANOUVE	✓		
REP. ERNEST BERGSAGEL	✓		
REP. JOHN COBB	✓		
REP. ROGER DEBRUYKER	✓		
REP. MARJ. FISHER	✓		
REP. JOHN JOHNSON	✓		
REP. ROYAL JOHNSON	✓		
REP. MIKE KADAS	✓		
REP. BETTY LOU KASTEN	✓		
REP. WM. "RED" MENEHAN	✓		
REP. LINDA NELSON	✓		
REP. RAY PECK	✓		
REP. MARY LOU PETERSON	✓		
REP. JOE QUILICI	✓		
REP. DAVE WANZENREID	✓		
REP. BILL WISEMAN	✓		
REP. TOM ZOOK, CHAIR	✓		

deleted. REP. NELSON said lines 22, 23, Page 3 "are not critical to delivery of direct services". If that portion is deleted it would read better.

Vote: Motion passed unanimously.

Motion/Vote: REP. PETERSON moved SB 71 DO PASS AS AMENDED. Motion passed unanimously.

EXECUTIVE ACTION ON HB 689

Motion: REP. FISHER moved to adopt the amendment. (Line 11, Page 1, take out "eliminating the dangerous drug tax" and change whichever statutes that go along with that.)

Vote: Amendment is adopted with a unanimous vote.

Discussion: REP. FISHER said they need to make a change and might be easier to make it here instead of waiting to make it in HB 2. After this bill was put in another bill was proven it had a conflict. REP. PETERSON said REP. STRIZICH moved in HB 2 that a portion of this bill that was going to restrict the revenue collection on drugs, he and others have a plan to actively pursue that source of revenue which has not been done. She thinks it's in HB 2 now.

REP. KASTEN said if we assume that $2,800 per item on the income tax will go toward administration costs and Section 3 only brings in $1,600 does that mean we should either eliminate Section 3 or will that mean some administration costs will come out of the other Sections because Section 3 is not bringing in the amount or maybe eliminate anything that doesn't bring in a certain amount.

CHAIRMAN ZOOK said he would have to surmise the other Sections are supporting that one. REP. BARDANOUVE said he supposes there is no way they can eliminate, in this Bill, a public campaign check-off.

REP. KADAS said it would be a question of whether the title is broad enough.

REP. FISHER asked the LFA to refer to Line 11, Page 1 and take out the words "eliminating the dangerous drug tax" and then change all the statutes to go along with that.

REP. PECK asked if that is what REP. STRIZICH said was a court interpretation that has now been questioned and there is revenue available in this as a result of further court appeal. REP. FISHER said yes, when the subcommittee first addressed this the department said they didn't think there was enough money coming in and weren't collecting enough to make it worthwhile. In the meantime, after it finished the subcommittee it was taken out of HB 2. Yesterday the department asked her to take this out.

REP. QUILICI said when they testified before the committee they said they didn't think there was enough money in this tax to worry about. With the passage of **REP. STRIZICH's** Bill it looks like there may be enough money. **Mr. Haubein** said the other change is on Page 9, Section 9 which strikes "repealer" so that all the statutory language related to that drug tax is left in the bill.

REP. KASTEN asked if that still has a limitation that it has to bring in $20,000 a year for each year of the biennium in order to stay in the statutes. **Mr. Haubein** said he is not sure of that.

Motion: **REP. KASTEN** moved to eliminate Section 3 and all other parts of the statute that would refer to it.

Vote: Motion passed unanimously.

Discussion: **REP. KADAS** asked if it was her intent to eliminate "public campaign" or eliminate "taking administrative costs from public campaign"? **REP. KASTEN** said to eliminate the campaign fund.

REP. WISEMAN asked for a review of how much money this brings in each year and what the program costs. **CHAIRMAN ZOOK** said it brings in $1,600 to this program.

REP. KADAS asked if anyone knows how long this program has been in place. **REP. QUILICI** thought since 1987.

Motion/Vote: **REP. FISHER** moved **HB 689 DO PASS AS AMENDED. Motion carried unanimously.**

EXECUTIVE ACTION ON HB 690

Motion: **REP. ROYAL JOHNSON** moved **DO PASS.**

Motion/Vote: REP. WISEMAN said he has an amendment and said Item 1 would read a little better "the school upon request, shall" and strike may. Items 2 and 3 read all right. **REP. WISEMAN** moved to adopt the amendment. Motion adopted unanimously.

Motion/Vote: REP. WISEMAN moved HB 690 DO PASS AS AMENDED. Motion carried unanimously.

EXECUTIVE ACTION ON HB 691

Motion: REP. COBB moved to adopt an amendment to allow Line 15 to say "must be accompanied by at least a fee equaling 0.3%" and strike the special revenue account and eliminate the earmarking.

Discussion: REP. COBB referred the Committee to Line 15, "must be accompanied by a fee" and it should say "must be accompanied by at least a fee equaling 0.3%" and that allows them to charge a higher amount. He would also strike lines 24, 25 special revenue

HOUSE OF REPRESENTATIVES

APPROPRIATIONS COMMITTEE

ROLL CALL . DATE 3/30/93

NAME	PRESENT	ABSENT	EXCUSED
REP. ED GRADY, V. CHAIR	✓		
REP. FRANCIS BARDANOUVE	✓		
REP. ERNEST BERGSAGEL	✓		
REP. JOHN COBB	✓		
REP. ROGER DEBRUYKER	✓		
REP. MARJ. FISHER	✓		
REP. JOHN JOHNSON	✓		
REP. ROYAL JOHNSON	✓		
REP. MIKE KADAS	✓		
REP. BETTY LOU KASTEN	✓		
REP. WM. "RED MENEHAN	✓		
REP. LINDA NELSON	✓		
REP. RAY PECK	✓		
REP. MARY LOU PETERSON	✓		
REP. JOE QUILICI	✓		
REP. DAVE WANZENREID	✓		
REP. BILL WISEMAN	✓		
REP. TOM ZOOK, CHAIR	✓		

HOUSE STANDING COMMITTEE REPORT

March 30, 1993
Page 1 of 1

Mr. Speaker: We, the committee on Appropriations report that House Bill 689 (first reading copy -- white) do pass as amended.

Signed: _____
Tom Cook, Chair

And, that such amendments read:

1. Title, line 11.
Strike: "DANGEROUS DRUG TAX"
Insert: "PUBLIC CAMPAIGN FUND"

2. Title, line 12.
Strike: "13-37-304,"

3. Title, lines 14 and 15.
Strike: lines 14 and 15 in their entirety
Insert: "13-37-301, 13-37-302, 13-37-303, 13-37-304, 13-37-305, 13-37-306, 13-37-307, AND 13-37-308,"

4. Page 2, line 19 through page 3, line 21.
Strike: section 3 in its entirety
Renumber: subsequent sections

5. Page 9, line 13.
Strike: "13-37-304;"

6. Page 9, lines 20 through 22.
Following: "Sections" on line 20
Strike: remainder of line 20 through "15-35-123," on line 22
Insert: "13-37-301, 13-37-302, 13-37-303, 13-37-304, 13-37-305, 13-37-306, 13-37-307, and 13-37-308,"

7. Page 10, line 7.
Strike: "7"
Insert: "6"

-END-

Committee Vote:

HOUSE OF REPRESENTATIVES

APPROPRIATIONS COMMITTEE

ROLL CALL VOTE

DATE 3/30/93 BILL NO. HB 689 NUMBER

MOTION: Rep. Fisher moved to adopt the amendment. (Line 11, Page 1, take out "eliminating the dangerous drug tax" and change whichever statutes that go along with that.)

Motion carried unanimously.

NAME	AYE	NO
REP. ED GRADY, V. CHAIR	X	
REP. FRANCIS BARDANOUVE	X	
REP. ERNEST BERGSAGEL	X	
REP. JOHN COBB	X	
REP. ROGER DEBRUYKER	X	
REP. MARJ. FISHER	X	
REP. JOHN JOHNSON	X	
REP. ROYAL JOHNSON	X	
REP. MIKE KADAS	X	
REP. BETTY LOU KASTEN	X	
REP. WM. RED MENAHAN	X	
REP. LINDA NELSON	X	
REP. RAY PECK	X	
REP. MARY LOU PETERSON	X	
REP. JOE QUILICI	X	
REP. DAVE WANZENRIED	X	
REP. BILL WISEMAN	X	
REP. TOM ZOOK, CHAIR	X	
	18	0

APPROPRIATIONS COMMITTEE

ROLL CALL VOTE

DATE 3/30/93 BILL NO. HB 689 NUMBER

MOTION: Rep. Kasten moved to eliminate Section 3 and all other parts of the statute that would refer to it.

Motion carried unanimously.

NAME	AYE	NO
REP. ED GRADY, V. CHAIR	X	
REP. FRANCIS BARDANOUVE	X	
REP. ERNEST BERGSAGEL	X	
REP. JOHN COBB	X	
REP. ROGER DEBRUYKER	X	
REP. MARJ. FISHER	X	
REP. JOHN JOHNSON	X	
REP. ROYAL JOHNSON	X	
REP. MIKE KADAS	X	
REP. BETTY LOU KASTEN	X	
REP. WM. RED MENAHAN	X	
REP. LINDA NELSON	X	
REP. RAY PECK	X	
REP. MARY LOU PETERSON	X	
REP. JOE QUILICI	X	
REP. DAVE WANZENRIED	X	
REP. BILL WISEMAN	X	
REP. TOM ZOOK, CHAIR	X	
	18	0

HOUSE OF REPRESENTATIVES

APPROPRIATIONS COMMITTEE

ROLL CALL VOTE

DATE 3/30/93 BILL NO. HB 689 NUMBER

MOTION: Rep. Fisher moved HB 689 DO PASS AS AMENDED.

Motion carried unanimously.

NAME	AYE	NO
REP. ED GRADY, V. CHAIR	X	
REP. FRANCIS BARDANOUVE	X	
REP. ERNEST BERGSAGEL	X	
REP. JOHN COBB	X	
REP. ROGER DEBRUYKER	X	
REP. MARJ. FISHER	X	
REP. JOHN JOHNSON	X	
REP. ROYAL JOHNSON	X	
REP. MIKE KADAS	X	
REP. BETTY LOU KASTEN	X	
REP. WM. RED MENAHAN	X	
REP. LINDA NELSON	X	
REP. RAY PECK	X	
REP. MARY LOU PETERSON	X	
REP. JOE QUILICI	X	
REP. DAVE WANZENRIED	X	
REP. BILL WISEMAN	X	
REP. TOM ZOOK, CHAIR	X	
	18	0

MINUTES

MONTANA SENATE
53rd LEGISLATURE - REGULAR SESSION

COMMITTEE ON FINANCE & CLAIMS

Call to Order: By Senator Judy Jacobson, Chair, on April 13, 1993, at 10:00 a.m., Room 108.

ROLL CALL

Members Present:
Sen. Judy Jacobson, Chair (D)
Sen. Eve Franklin, Vice Chair (D)
Sen. Gary Aklestad (R)
Sen. Tom Beck (R)
Sen. Don Bianchi (D)
Sen. Chris Christiaens (D)
Sen. Gerry Devlin (R)
Sen. Gary Forrester (D)
Sen. Harry Fritz (D)
Sen. Ethel Harding (R)
Sen. Bob Hockett (D)
Sen. Greg Jergeson (D)
Sen. Tom Keating (R)
Sen. J.D. Lynch (D)
Sen. Chuck Swysgood (R)
Sen. Daryl Toews (R)
Sen. Larry Tveit (R)
Sen. Eleanor Vaughn (D)
Sen. Mignon Waterman (D)
Sen. Cecil Weeding (D)

Members Excused: None.

Members Absent: None.

Staff Present: Terry Cohea, Legislative Fiscal Analyst
Lynn Staley, Committee Secretary

Please Note: These are summary minutes. Testimony and discussion are paraphrased and condensed.

Committee Business Summary:
Hearing: HB 689, HJ 25, HB 666, HB 673, HB 691, HB 690, HJ 18
Executive Action: None.

HEARING ON HOUSE BILL 689

Opening Statement by Sponsor:

Representative Marjorie Fisher, sponsor, said she was presenting HB 689 at the request of the subcommittee of general government and highways. HB 689 generally revises statutory appropriations to the Department of Revenue.

Proponents' Testimony:

None.

Opponents' Testimony:

None.

Informational Testimony:

Terry Cohea, LFA, presented an amendment to HB 689. (Exhibit 1) The amendment would delete the statutory appropriation in HB 689 for the expenses of administering the income tax check-offs. $14,000 is appropriated in HB 2 each year from state special revenue for this purpose. The legislature usually does not appropriate operating expenses in statutory appropriations.

Questions From Committee Members and Responses:

Senator Waterman said she was involved in the DARE check-off previously, and there was contingency language if that bill did not raise $20,000 a year for one of the two preceding years that it would sunset. She stated the threshold was not met the first year, but she feels it will give incentive through the program to reach the threshold the second year. She asked Rep. Fisher if she would have an objection to adding the contingency language to the check-off programs in the future.

Rep. Fisher said she would not have a problem with that.

Senator Jacobson said we have appropriated before out of the various funds some operating expenses to the Department of Revenue but we have never done it as a statutory appropriation. She questioned why the committee chose to make this a statutory appropriation which then will have no review by the legislature.

Rep. Fisher said the Department of Revenue (DOR) felt they needed it put in there.

Senator Jacobson said we would be giving them this money to take care of the programs with no legislative review when we statutorily appropriate.

Ms. Cohea said they checked with the DOR. She did not feel the subcommittee voted to make it a statutory appropriation. When the DOR worked with the Legislative Council, it was drafted that way. The amendment before us will remove it from being a statutory appropriation because the subcommittee appropriated the money in HB 2, therefore at this point, there would be a double

appropriation. Exhibit 1 would correct that.

Senator Keating said this reduces general fund which previously covered the cost of administration. He questioned why this could not go into state special revenue as a charge against the fund. Then it could be reviewed. He felt the limit should be $30,000 rather than $20,000 if we are going to charge $2,800 to administer them. He asked Ms. Cohea if Exhibit 1 makes it state special revenue rather than a statutory appropriation.

Ms. Cohea said HB 689 as it stands places the money in state special, but the amendment would make it so that it is subject to legislative appropriation versus a statutory appropriation.

Senator Devlin asked if there has been established a set rate for the administration of the funds.

Senator Jacobson said it was her understanding as each one came in, the bill would pass and it would come to HB 2 conference committee and try to get an amount justified. It was not a set percentage, but whatever they were able to justify at the time. The cost at the beginning for the first one is more because changes have to be made but as more come on, the cost would probably be less.

Senator Keating asked Jack Ellery from the Department of Revenue (DOR) regarding the $2,850 charge. If three of them were eliminated because they did not achieve the $20,000 limit, would it still cost $14,000 to manage the two.

Mr. Ellery said the intent was as these were eliminated, the funding would be reduced as well. Each one costs roughly $2,800 a year to administer.

When questioned by Senator Keating if administrative costs could be reduced if there were more funds, Mr. Ellery said the bulk of the costs are computer processing costs and computer storage costs.

Closing by Sponsor:

Rep. Fisher closed.

HEARING ON HOUSE JOINT RESOLUTION 25

Opening Statement by Sponsor:

Rep. Marjorie Fisher, House District 3, sponsor, stated HJR 25 is a resolution urging the governor and the attorney general to study the delivery of legal and law enforcement services to the State of Montana and make recommendations to the next legislature.

ROLL CALL

SENATE COMMITTEE FINANCE AND CLAIMS DATE 4/13/93 a.m

NAME	PRESENT	ABSENT	EXCUSED
SENATOR JACOBSON	✓		
SENATOR FRANKLIN	✓		
SENATOR AKLESTAD	✓		
SENATOR BECK	✓		
SENATOR BIANCHI	✓		
SENATOR CHRISTIAENS	✓		
SENATOR DEVLIN	✓		
SENATOR FORRESTER	✓		
SENATOR FRITZ	✓		
SENATOR HARDING	✓		
SENATOR HOCKETT	✓		
SENATOR JERGESON	✓		
SENATOR KEATING	✓		
SENATOR LYNCH	✓		
SENATOR TOEWS	✓		
SENATOR SWYSGOOD	✓		
SENATOR TVEIT	✓		
SENATOR VAUGHN	✓		
SENATOR WATERMAN	✓		
SENATOR WEEDING	✓		

FC8

Attach to each day's minutes

Amendments to House Bill No. 689
Third Reading Copy

SENATE FINANCE AND CLAIMS
EXHIBIT NO. 1
DATE 4/13/93
BILL NO. HB 689

Requested by Sen. Jacobson
For Senate Finance and Claims Committee

Prepared by Jon Moe
April 6, 1993

1. Page 1, lines 9 through 11.
Following: "PROGRAMS;" on line 9
Strike: remainder of line 9 through ";" on line 11

2. Page 2, line 14.
Following: "account"
Insert: ", subject to appropriation,"

3. Page 2, lines 17 through 20.
Strike: lines 17 through 20 in their entirety

4. Page 8, line 18.
Following: "15-25-123;"
Strike: "[section 21;"

This amendment would delete the statutory appropriation in House Bill No. 689 for the expenses of administering the the income tax checkoffs. $14,000 is appropriated in HB 2, the general appropriations act, in each year from state special revenue for this purpose. In addition, the legislature usually does not appropriate operating expenses in statutory appropriations.

{Office of Legislative Fiscal Analyst 444-2986}

EXECUTIVE ACTION ON HOUSE JOINT RESOLUTION 18

Motion/Vote: Senator Franklin moved that HOUSE JOINT RESOLUTION 18 BE CONCURRED IN. Motion CARRIED on a roll call vote.

EXECUTIVE ACTION ON HOUSE JOINT RESOLUTION 25

Motion/Vote: Senator Lynch moved that HOUSE JOINT RESOLUTION 25 BE CONCURRED IN. Motion CARRIED on a roll call vote.

EXECUTIVE ACTION ON HOUSE BILL 689

Motion: Senator Waterman moved to amend HB 689 (Exhibit 5).

Discussion: Senator Lynch questioned if they failed in one year by a small amount to raise the money, what then would happen.

Senator Waterman said nothing would happen after one year. She noted there would be one year of warning to raise the money.

Senator Devlin questioned the $20,000 figure.

Senator Waterman said that is the amount put in last year for the DARE check-off.

In a question from Senator Devlin about programs other than DARE involved in this, Senator Jacobson said according to the Department, it costs $2800 to administer each of these. If they are not raising $20,000, that is more than 20 percent administrative costs. The administrative costs gets so high that Senator Waterman is questioning is it worth it.

Vote: Senator Waterman's amendment (Exhibit 5) CARRIED on a roll call vote.

Motion/Vote: Senator Jacobson said there is another amendment that would delete the statutory appropriation. Senator Keating moved the amendment to delete the statutory appropriation. Motion CARRIED.

Motion/Vote: Senator Franklin moved that HOUSE BILL 689 AS AMENDED BE CONCURRED IN. Motion carried.

EXECUTIVE ACTION ON HOUSE BILL 145

Discussion: Senator Franklin discussed the fiscal note to SB 285 (Exhibit 6). She said number 15 on the fiscal note no longer applies because insurers agreed to self-assess in order to come up with a risk pool fund.

ROLL CALL

SENATE COMMITTEE FINANCE AND CLAIMS DATE 4/13/93 p.m

NAME	PRESENT	ABSENT	EXCUSED
SENATOR JACOBSON	✓		
SENATOR FRANKLIN	✓		
SENATOR AKLESTAD	✓		
SENATOR BECK	✓		
SENATOR BIANCHI	✓		
SENATOR CHRISTIAENS	✓		
SENATOR DEVLIN	✓		
SENATOR FORRESTER	✓		
SENATOR FRITZ	✓		
SENATOR HARDING	✓		
SENATOR HOCKETT	✓		
SENATOR JERGESON	✓		
SENATOR KEATING	✓		
SENATOR LYNCH	✓		
SENATOR TOEWS	✓		
SENATOR SWYSGOOD	✓		
SENATOR TVEIT	✓		
SENATOR VAUGHN	✓		
SENATOR WATERMAN	✓		
SENATOR WEEDING			✓

FC8

Attach to each day's minutes

ROLL CALL VOTE

SENATE COMMITTEE FINANCE AND CLAIMS BILL NO. HB 689

DATE April 13, 1993 TIME _____ A.M. P.M.

NAME	YES	NO
SENATOR JACOBSON	✓	
SENATOR JERGESON	✓	
SENATOR AKLESTAD		✓
SENATOR BECK		✓
SENATOR BIANCHI	✓	
SENATOR CHRISTIAENS	✓	
SENATOR DEVLIN		✓
SENATOR FORRESTER	✓	
SENATOR FRANKLIN	✓	
SENATOR FRITZ	✓	
SENATOR HARDING	✓	
SENATOR HOCKETT	✓	
SENATOR KEATING	✓	
SENATOR LYNCH		✓
SENATOR TOEWS	✓	
SENATOR SWYSGOOD		✓
SENATOR TVEIT		✓
SENATOR VAUGHN	✓	
SENATOR WATERMAN	✓	
SENATOR WEEDING		

Lynn Stanley
SECRETARY

_____
CHAIR

MOTION: Senator Waterman amendment (Exhibit 5) Carried

SENATE STANDING COMMITTEE REPORT

April 14, 1993

MR. PRESIDENT:
We, your committee on Finance and Claims having had under consideration House Bill No. 689 (third reading copy -- blue), respectfully report that House Bill No. 689 be amended as follows and as so amended be concurred in.

Signed: Judy H. Jacobson
Senator Judy H. Jacobson, Chair

That such amendments read:

1. Title, lines 6 and 7.
Following: "ACT" on line 6
Strike: remainder of line 6 through line 7

2. Title, lines 9 through 11.
Following: "PROGRAMS;" on line 9
Strike: remainder of line 9 through ";" on line 11

3. Title, line 18.
Following: "DATE"
Strike: "AND"
Insert: ","

4. Page 1, line 19.
Following: "DATE"
Insert: ", AND A CONTINGENT TERMINATION PROVISION RELATING TO CERTAIN VOLUNTARY INCOME TAX CHECKOFFS"

5. Page 2, line 14.
Following: "account"
Insert: ", subject to appropriation,"

6. Page 2, lines 17 through 20.
Strike: lines 17 through 20 in their entirety

7. Page 8, line 18.
Following: "15-25-123;"
Strike: "[section 2];"

8. Page 10, following line 12.
Insert: "NEW SECTION. Section 12. Contingent termination. A voluntary income tax checkoff created in 15-30-150, 15-30-152, or 15-30-155 terminates on January 1 of the first tax year following the 2 immediately preceding tax years in which the voluntary checkoff raises less than $20,000 in each of those 2 tax years."

-END-

Amd. Coord.
Sec. of Senate

Senator Carrying Bill